

TEXAS RADIATION ADVISORY BOARD ANNUAL REPORT FISCAL YEAR 2002

The report summarizes the past year of Texas Radiation Advisory Board (TRAB) activities and is required by 25 T.A.C. 289.130.

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I. Dates of meetings

Meeting Date	Committee Meeting
November 3, 2001	TRAB quarterly meeting
January 12, 2002	TRAB quarterly meeting
April 6, 2002	TRAB quarterly meeting
June 20, 2002	Executive Committee
July 20, 2002	TRAB quarterly meeting

II. Attendance

Number of Meetings Attended

Member	Number of Quarterly Meetings Attended Total of 4	Percent Attended
Jimmy L. Barker, P.E.	3	75
Susan E. Best, M.D., Ph.D.	2	50
Thomas M. Burnette	2	50
Eugene A. Coleman, Ph.D.	2	50
Earl P. Erdmann	2	50
Michael S. Ford, C.H.P.	3	75
Ian Hamilton, Ph.D.	3	75
W. Kim Howard, M.D.	4	100
Dale E. Klein, Ph.D., P.E.*	2 before resigning	---
Justin P. LeVasseur, M.D.	4	100
Odis R. Mack	4	100
Troy Marceleno, P.E.	4	100
Bruce A. Matson, D.D.S.	3	75
Judith A. Pester, M.D.	3	75
Kevin L. Raabe	4	100
Elaine L. Wells	4	100
Philip M. Wentworth	4	100

* Resigned to accept Presidential Appointment

III. Board Actions

TRAB reviewed and evaluated state radiation programs and policies, provided technical advice and made recommendations on rules to Texas Department of Health(TDH) , Texas Board of Medical Examiners (TBME), Texas Natural Resource Conservation Commission (TNRCC) and Railroad Commission of Texas (RRC) during FY 2002.

**Recommendations
for Texas Department of Health**

Topic	Action	Status
Database for normal bone density scores for children	Recommended approval of University of Texas Health Science Center investigational study using a bone densitometer to create a database for normal bone density scores for children	Bureau of Radiation Control amended license
25 TAC 289.204 Fees for Certificates of Registration, Radioactive Material(s) Licenses, Emergency Planning and Implementation, and Other Regulatory Services	Recommended proposal and final adoption of the rule with the understanding that the additional 5% fee will not be collected unless it can be deposited into the Radiation Perpetual Care Fund instead of the General Revenue	Legislation will be required in order to deposit the 5% fees into the Radiation Perpetual Care Fund; fee not assessed
25 TAC 289.203 - Notices, Instructions, and Reports to Workers, Inspections	Recommended final adoption	Adopted
Health physicists salary	Letters sent to the Board of Health, Representative Chisum, Senator Ellis, and Representative Junell about critical staffing shortages based on salary and retention and recruitment issues for health physicists	Received response from Texas Department of Health Commissioner
House Environmental Regulation Committee, April 29, 2002	TRAB Vice Chair testified at House Environmental Regulation Committee regarding health physicists salaries and retention, lost and abandoned radioactive sources, low-level radioactive waste site, and drinking water rules for radionuclides (a Texas Natural Resource Conservation Commission issue)	Published on Internet

Topic	Action	Status
Security of radioactive sources	TRAB adopted an advisory document for all licensees, Homeland Security Task Force and the governor regarding security of radioactive sources	Advisory distributed to licensees and government officials
Whole body CT screening	TRAB adopted an advisory on the practice of whole body CT screening to inform the public that currently there is not a strong indication in favor of whole body CT screening.	Advisory distributed through press release and published on the Internet
25 TAC 289.230 - Certification of Mammography Systems and Accreditation of Mammography Facilities	Recommended final adoption	Adopted
Legislative Appropriations Request (LAR), Budget, Consolidation, Legislative Initiatives, Exceptional Items: Technical Staff Salary; Regulatory Program for Lasers and IPL; Radiation Perpetual Care Fund	Letters to Texas Department of Health Commissioner, Texas Board of Health, Governor, House Appropriations Committee, Senate Finance Committee, Legislative Budget Board, Homeland Security Task Force, House Committee on Environmental Regulation	Board of Health adopted LAR and technical staff salary as an exceptional item
Low-Level Radioactive Waste	Resolution on Low-Level Radioactive Waste	Published on Internet
Policy on Stockpiling and Distributing KI	Resolution on Stockpiling and Distributing Potassium Iodide (KI) in Texas for Use in Nuclear Power Plant Emergencies	Published on Internet

Topic	Action	Status
25 TAC 289.260 Licensing of Uranium Recovery and Byproduct Material Disposal Facilities	Recommended proposal	Proposed
Texas Board of Health Hearing July 18, 2002, Testimony	Executive Committee member Testimony on laser regulatory program, Radiation Perpetual Care Fund, technical staff salary	Technical staff salary included as exceptional item

**Recommendations
for Texas Board of Medical Examiners**

Topic	Action	Status
Standing Delegation Orders for Lasers	Letter with recommendations on 22 TAC Chapter 193.11, Proposed Rules, Standing Delegation Orders	Pending

**Recommendations
for Texas Natural Resource Conservation Commission**

Topic	Action	Status
30 TAC, Chapter 290 - Public Drinking Water, §290.108, Radiological Sampling and Analytical Requirements	Recommended against proposal and sent letter to commissioners on Drinking Water Rules; TRAB Vice Chair met with Chairman of TNRCC	TNRCC requested EPA extend deadline for adoption of rule
30 TAC Chapter 336, Radioactive Substance Rules	Recommendation to readopt rules	Adopted

Recommendations and Actions for Railroad Commission

Topic	Action	Status
TAC Title 16 Part 1 Chapter 3.94, Disposal of Oil and Gas NORM Waste	Recommendation for withdrawal and proposal of rules	Rule withdrawn and revision proposed

IV. Tasks Assigned

The Texas Board of Health did not request any specific actions by TRAB.

V. Status of Rules Recommended

All recommendations on rules have been followed by the agencies.

VI. Activities Anticipated

TRAB will be asked to make recommendations on proposal and adoption of rules and on policy issues.

Anticipated Issue for TRAB Recommendations

Topic	Activities Anticipated
Laser and Intense Pulsed Light Regulatory Program	Legislative
Technical Staff Salary	Legislative
Mammography Fee Cap	Legislative
Radiation and Perpetual Care Fund	Legislative
Fees	Rules
Radionuclides in drinking water	Rules and disposal options
Licensing of Naturally Occurring Radioactive Material (NORM)	Rules and possible Memorandum of Understanding

Topic	Activities Anticipated
Radioactive waste	Legislation and rules and petition for exemption
Licensing of Radioactive Material	Rules
Waste Processing and Storage Facilities	Rules
Licensing of Uranium Recovery and Byproduct Material Disposal Facilities	Rules
Exemptions, General Licenses, and General License Acknowledgements	Rules
Radiation Safety Requirements for Well Logging Service Operations and Tracer Studies	Rules
General Provisions for Radioactive Material	Rules
Registration and Radiation Safety Requirements for Lasers	Rules
Advisory Board Rules	Rules

VII. TRAB Expenses for FY 2002

Expense	Amount
Travel expense - reimbursement of members	\$ 12,994
Staff time in support of the board	\$ 39,673
Other operating	\$ 8
TOTAL	\$ 52,675

Source: BRC records, estimated as of July 31, 2002, for FY 2002.